



Atty. Dkt. No.

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Comestibles containing isomaltulose and trehalose for sustained carbohydrate energy release and reduced glycemic/insulinemic responses, and for preserving osmolality

(Title of Invention)

the specification of which (check applicable box(es)):

A. is attached hereto.
 B. was filed on _____ as U.S. Application No. _____
 C. was filed as PCT International Application Number PCT/EP04/003064 on 23 March 2004
 and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56. I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and I have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application, on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Number(s)	Country	Date/Month/Year Filed	Date first Laid-open or Published	Date Patented or Granted	Priority NOT Claimed
03251833.4	EP	24 March 2003			
03254635.0	EP	23 July 2003			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)	Status		
Appln. No. (series code/serial no.)	Day/Month/Year Filed	pending, abandoned, patented	Priority NOT Claimed

As a named inventor, I hereby appoint the practitioners associated with Customer Number 22242, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and request that all correspondence and telephone calls in respect to this application be directed to FITCH, EVEN, TABIN & FLANNERY, Suite 1600, 120 South LaSalle Street, Chicago, Illinois 60603-3406, Telephone No. (312) 577-7000, Facsimile No. (312) 577-7007, CUSTOMER NUMBER 22242.

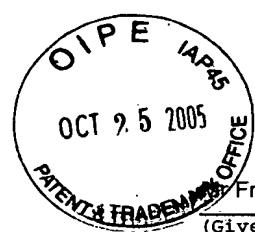


2 2 2 4 2 —

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

Additional inventors, see attached pages.

Additional foreign prior art on attached page (incorporated herein by reference)



Attorney Docket No. _____

(1) Full name of sole or one joint inventor:

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Supplemental Data Priority Sheet

Additional foreign application numbers:

Additional provisional application numbers:

Provisional Application
Number(s) Provisional Application
Filing Date

Additional U.S. or PCT international application numbers:

Prior U.S. Application Number	Prior PCT Application Number	International Application Number	International Application	U.S. or PCT	Filing Date of PCT
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